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12 *Stryker Corporation and Stryker Sales Corporation*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 RYAN Q. CLARIDGE,

16 Plaintiff,

17 vs.

18 I-FLOW CORPORATION, a Delaware
19 corporation; I-FLOW, LLC, a Delaware
20 limited liability company; DJO LLC (f.k.a.
21 DJ ORTHOPEDICS, LLC), a Delaware
22 limited liability company; DJO,
23 INCORPORATED, aka DJO, INC., a
24 Delaware corporation; STRYKER
25 CORPORATION, a Michigan corporation;
26 and STRYKER SALES CORPORATION, a
27 Michigan corporation,

28 Defendants.

CASE NO.: 2:18-cv-01654-GMN-BNW

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO COMPEL
THE NEUROLOGICAL AND
PSYCHOLOGICAL EXAMINATIONS OF
PLAINTIFF RYAN Q. CLARIDGE
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 35**

1 1. On February 25, 2020, the Court heard Defendants Stryker Corporation, Stryker Sales
2 Corporation, and I-Flow, LLC (collectively, “Defendants”) Motion to Compel the Neurological
3 and Psychological Examinations (the “Motion”) of Plaintiff Ryan Q. Claridge (“Plaintiff”)
4 Pursuant to Federal Rule of Civil Procedure 35 (“Rule 35”);

5 2. On February 25, 2020, the Court granted the Motion and ordered Plaintiff to submit to the
6 neurological and psychological examinations requested by Defendants;

7 3. The Court further ordered the Parties to submit this Proposed Order by February 28, 2020;

8 4. The Court further ordered Defendants to provide Plaintiff with information on the
9 proposed examiners and examinations;

10 5. Defendants complied with the Court’s Order by separately providing Plaintiff with the
11 curriculum vitae for each examiner, the examiners’ testimony lists, and summaries of the
12 proposed scopes of the examinations;

13 6. The Court further ordered the Parties to meet and confer to discuss mutually agreeable
14 dates, times, and locations of the examinations;

15 7. Defendants sent Plaintiff, via email, the following proposed dates, times, and locations for
16 the examinations:

17 **Neurological Examination by Dr. Andrew Woo, M.D., Ph.D.**

18	DATE AND TIME OF	March 27, 2020, commencing at
19	EXAMINATION:	11:00 a.m., and continued until completed
20	LOCATION OF	Office of Edgar Evangelista MD
21	EXAMINATION:	6040 Badura Avenue, Suite 120 Las Vegas, 89118

22 **Psychological Examination by Dr. Lewis Etcoff, Ph.D., A.B.N.**

23	DATES AND TIMES OF	Testing: May 19, 2020, commencing at
24	TESTING AND EXAMINATION:	1:30 p.m., and continued until completed

25 Examination: May 26, 2020, commencing at
26 9:00 a.m., and continued until completed

26	LOCATION OF	Lewis M. Etcoff, Ph.D. and Associates
27	EXAMINATION:	8475 South Eastern Avenue, Suite 205 28 Las Vegas, Nevada 89123

8. The dates proposed by Defendants were the examiners' first available dates, and the examiners rearranged their schedules as much as possible to provide those dates;

9. Plaintiffs have not yet responded regarding the proposed dates, times, and locations;

10. Defendants anticipate that the results of Plaintiff's neurological and psychological examinations could require some experts to supplement their reports, and submit that all Parties should therefore be allowed to file supplemental reports of experts whose opinions are impacted by the findings of the independent examinations within 14 days of receiving reports disclosing the results of the examinations.

NOW THEREFORE THE COURT ORDERS AS FOLLOWS:

1. Plaintiff shall submit to the following examinations, the scopes of which are attached hereto as **Exhibit A** and **Exhibit B**.

a. Neurological Examination by Dr. Andrew Woo, M.D., Ph.D.

DATE AND TIME OF EXAMINATION:	March 27, 2020, commencing at 11:00 a.m., and continued until completed
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LOCATION OF EXAMINATION:	Office of Edgar Evangelista MD 6040 Badura Avenue, Suite 120 Las Vegas, 89118
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EXAMINER:	Andrew Woo, MD
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b. Psychological Examination by Dr. Lewis Etcoff, Ph.D., A.B.N.

DATES AND TIMES OF TESTING AND EXAMINATION:	Testing: May 19, 2020, commencing at 1:30 p.m., and continued until completed
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and

Examination:	May 26, 2020, commencing at 9:00 a.m., and continued until completed
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LOCATION OF EXAMINATION:	Lewis M. Etcoff, Ph.D. and Associates 8475 South Eastern Avenue, Suite 205 Las Vegas, Nevada 89123
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EXAMINER:	Lewis M. Etcoff, Ph.D.
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1 2. The Parties shall serve any supplemental reports of experts whose opinions are impacted
2 by the findings of the independent neurological and psychological examinations within 14 days of
3 receiving reports disclosing the results of the examinations.

4 **IT IS SO ORDERED**

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6 DATED: 3/3/2020

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Magistrate Judge Brenda Weksler
United States Magistrate Judge
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1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen
3 (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be
4 served a true and correct copy of the foregoing **[PROPOSED] ORDER GRANTING**
5 **DEFENDANTS' MOTION TO COMPEL THE NEUROLOGICAL AND**
6 **PSYCHOLOGICAL EXAMINATIONS OF PLAINTIFF RYAN Q. CLARIDGE**
7 **PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 35** by the method indicated
8 below and addressed as follows:

9 ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for
10 electronic filing and service upon the Court's Service List for the above-referenced case.

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26 DATED this 28th day of February, 2020.

27 /s/ Maricris Williams

28 An employee of Snell & Wilmer L.L.P.

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INDEX OF EXHIBITS

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B	Neurological Exam Protocol	2

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